

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOSEPH H. CRAFT

Criminal No. 21-45

GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION

TO MODIFY HOME-DETENTION CONDITION

AND NOW, comes the United States of America, by its attorneys, Cindy K. Chung, United States Attorney for the Western District of Pennsylvania, and Shaun E. Sweeney, Assistant United States Attorney for said district, and respectfully submits this Response to Defendant’s Motion to Modify Home-Detention Condition, submitting as follows:

The defendant was released from the custody of the U.S. Marshal on January 14, 2022, after serving one day in prison. He is now serving the three (3) year supervised release portion of his sentence, which includes home detention for a period of 365 days. On July 27, 2022, counsel for defendant filed a Motion to Modify Home-Detention Condition. In his Motion to Modify defendant requests that the Court modify the terms of his supervised release by removing the home detention provision. In support of this request, the defendant alleges that the home detention provision has caused him to miss opportunities to earn more income. In addition, the defendant argues that several purposes of sentencing are not being served, under these circumstances, by the continued application of the home detention requirement.

The government’s response is that the applicable Guidelines range for the defendant was 4-10 months imprisonment. The Court exercised its discretion to impose a sentence of only one day in the Marshal’s lockup, followed by a term of supervised release to include home detention. This sentence was far from the most severe sentence that could have been imposed. Prior to imposing this sentence, the Court thoughtfully considered the sentencing

factors referenced in the defendant's Motion to Modify. Those factors include the need to promote respect for the law and the need to provide just punishment for the offense. Because no circumstances have arisen in the past six months that would warrant the Court's reconsideration of the sentence imposed, the Motion to Modify should be denied.

WHEREFORE, the United States respectfully requests that Defendant's Motion to Modify Home-Detention Condition be denied.

Respectfully submitted,

CINDY K. CHUNG
United States Attorney

s/ Shaun E. Sweeney
SHAUN E. SWEENEY
Assistant U.S. Attorney
(412) 644-3500 (Phone)
(412) 644-2645 (Fax)
Shaun.sweeney@usdoj.gov
PA ID 53568